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A PROFESSIONAL CORPORATION

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

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**FAX**

To: G.A. Suchfield

From: Eric B. Meyerertons/jlp

Fax: (703) 872-9306

Pages: 4 (including cover sheet)

Our Ref: 5659-06000

Date: August 25, 2004

Phone: 512-853-8800

Re: U.S. Patent Application Serial No. 09/841,284 Entitled: "IN SITU THERMAL  
PROCESSING OF A COAL FORMATION TO INCREASE  
PERMEABILITY/POROSITY OF THE FORMATION" - Vinegar et al.

Attached please find for the above-referenced application:

1. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Patent (2 pages);  
and
2. A Fee Authorization in the amount of \$110.00 (1 page)

Thank you.

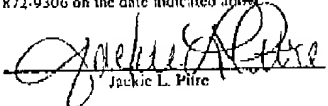
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AUG 25 2004

PATENT  
TH1985**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/841,284  
Confirmation No.: 4716  
Filing Date: April 24, 2001  
Inventors: Vinegar et al.  
Title: IN SITU THERMAL  
PROCESSING OF A COAL  
FORMATION TO INCREASE  
PERMEABILITY/POROSITY  
OF THE FORMATION

§ Examiner: G. A. Suchfield  
§ Art Unit: 3672  
§ Atty. Dkt. No.: 5659-06000/EBM  
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CERTIFICATE OF FACSIMILE FILING	
DATE OF TRANSMISSION:	8/25/04
I hereby certify that this correspondence is being sent by facsimile to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on the date indicated above.	
 Jackie L. Pire	

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
OVER A PATENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Applicant is the owner of all rights in the captioned patent application. Applicant certifies that it is the assignee of the entire right, title and interest in the captioned patent application by virtue of an assignment from the inventors of the captioned patent application, the assignment recorded with the Patent and Trademark Office at Reel 012609, Frame 0193.
2. Applicant is the owner of all rights in U.S. Patent No. 6,745,831. Applicant certifies that it is the assignee of the entire right, title and interest in U.S. Patent No. 6,745,831 by virtue of an assignment from the inventors of the patent application, the assignment recorded with the Patent and Trademark Office at Reel 012597, Frame 0904.
3. Applicant hereby agrees that any patent granted on the captioned patent application shall be enforceable only for and during such period that the patent and U.S. Patent 6,745,831 are

commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent and its or his successors or assigns.

4. As sole owner in the captioned patent application, Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned patent application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of U.S. Patent 6,745,831.

5. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent 6,745,831, as presently shortened by any terminal disclaimer, in the event that U.S. Patent 6,745,831 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

6. A fee authorization for the required fee is attached.

By: 

Eric B. Meyertons  
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Attorney for Applicant

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